

<p>(1390 REV. 5-93) US DEPT. OF COMMERCE PATENT & TRADEMARK OFFICE</p> <p>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</p>		<p>ATTORNEY'S DOCKET NUMBER 111737</p> <p>U.S. APPLICATION NO. (if known, sec 37 C.F.R.1.5) 10/031,439</p>
<p>INTERNATIONAL APPLICATION NO. PCT/FR00/02202</p>	<p>INTERNATIONAL FILING DATE July 31, 2000</p>	<p>PRIORITY DATE CLAIMED July 30, 1999</p>
<p>TITLE OF INVENTION METHOD FOR IN VITRO CULTURE OF VIRUSES OF THE TOGAVIRIDAE AND FLAVIVIRIDAE FAMILIES AND USES</p>		
<p>APPLICANTS FOR DO/EO/US Patrice ANDRE et al.</p>		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). <p>Items 11. to 16. below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <li style="padding-left: 20px;"><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> Entitlement to small entity status is hereby asserted. 16. <input checked="" type="checkbox"/> Other items or information: Response to Notification of Missing Requirements Declaration Already Filed 		

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JUL 1 2002

TECH CENTER 1600/2900

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/031,439		INTERNATIONAL APPLICATION NO. PCT/FR00/02202		ATTORNEY'S DOCKET NUMBER 111737	
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17. <input type="checkbox"/> The following fees are submitted: Basic National fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =	CALCULATIONS	PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate	\$	
Total Claims			X \$ 18.00	\$	
Independent Claims			X \$ 84.00	\$	
Multiple dependent claim(s)(if applicable)			+ \$280.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction by 1/2 for filing by small entity, if applicable.				-	\$
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
				Amount to be refunded	\$
				Charged	\$

a. <input type="checkbox"/> Check No. _____ in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.	NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC P.O. Box 19928 Alexandria, Virginia 22320
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Date: April 16, 2002

RECEIVED

JUL 1 2002

NAME: William P. Berridge
 REGISTRATION NUMBER: 30,024

NAME: Joel S. Armstrong
 REGISTRATION NUMBER: 36,430

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Patrice ANDRE et al.

ATTN: PCT Branch

Application No.: 10/031,439

Docket No.: 111737

Filed: February 25, 2002

For: METHOD FOR IN VITRO CULTURE OF VIRUSES OF THE TOGAVIRIDAE
AND FLAVIVIRIDAE FAMILIES AND USES

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
DECLARATION AND TRANSLATION ALREADY FILED

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

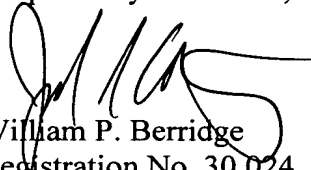
In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on April 9, 2002, the executed Declaration of the inventors was filed on February 25, 2002. A copy of the executed Declaration as filed, a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, and a copy of the stamped postcard receipt are attached hereto. The surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)) was also paid on February 25, 2002 with our Check No. 128150 for \$130.00.

The Notification also indicates that the translation of the application into English is incomplete, because the text on the drawings has not been properly translated. This assertion is incorrect because the only text appearing in the figure, namely "Figure" and "Oleate" are properly translated into English. Thus, no further action with respect to the translation is believed to be necessary.

Entry of these documents on February 25, 2002 should have completed all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

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JUL 1 2002

TECH CENTER 1600/2900

Joel S. Armstrong
Registration No. 36,430

WPB:JSA/zmc
Date: April 16, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

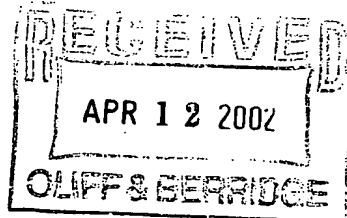
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,439	Patrice Andre	111737

INTERNATIONAL APPLICATION NO.

PCT/FR00/02202

I.A. FILING DATE	PRIORITY DATE
07/31/2000	07/30/1999

Oliff & Berridge
 Po Box 19928
 Alexandria, VA 22320



CONFIRMATION NO. 6420

371 FORMALITIES LETTER



OC000000007808645

Missing
 Parts

DUE DATE

JUN 09 2002

Date Mailed: 04/09/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

DOCKETED
 By DAE on 4/12 2002
 By MBJ and Cliff & Berridge on 4/12 2002

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below.
 - The text in the drawings has not been properly translated.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

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The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,439	PCT/FR00/02202	111737

FORM PCT/DO/EO/905 (371 Formalities Notice)

PTO RECEIPT FOR FILING OF PAPERS

The following papers have been filed:

PCT trans, ck 128150 \$130, DEC, FR Not Change (2), assign t,c k 128151 \$40, ASSIGN,
IDS pto 1449 29refs/1abs

Name of Applicant: Patrice ANDRE et al.

Serial No.: 10/031,439

Atty. File No.: 111737

Title (New Cases):

Sender's Initials: WPB/zmc

201/18

PATENT OFFICE DATE STAMP



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**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**

**TRANSMITTAL LETTER TO THE
UNITED STATES
DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING
UNDER 35 U.S.C. 371**

U.S. APPLICATION NO.
(if known, sec 37 C.F.R.1.5)
10/031,439

INTERNATIONAL APPLICATION NO.
PCT/FR00/02202

INTERNATIONAL FILING DATE
July 31, 2000

PRIORITY DATE CLAIMED
July 30, 1999

TITLE OF INVENTION
METHOD FOR IN VITRO CULTURE OF VIRUSES OF THE TOGAVIRIDAE AND FLAVIVIRIDAE FAMILIES AND USES

APPLICANTS FOR DO/EO/US
Patrice ANDRE et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ Entitlement to small entity status is hereby asserted.
16. ☒ Other items or information: Notification of a Recording of a Change (2 in French)

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/031,439		INTERNATIONAL APPLICATION NO. PCT/FR00/02202		ATTORNEY'S DOCKET NUMBER 111737	
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17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO\$890.00 International preliminary examination fee paid to USPTO (37 CFR1.482)\$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =	CALCULATIONS	PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims			X \$ 18.00	\$	
Independent Claims			X \$ 84.00	\$	
Multiple dependent claim(s)(if applicable)			+ \$280.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
Reduction by 1/2 for filing by small entity, if applicable.				-	\$
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$130.00	
				Amount to be refunded	\$
				Charged	\$

a. ☒ Check No. 128150 in the amount of \$130.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 OLIFF & BERRIDGE, PLC
 P.O. Box 19928
 Alexandria, Virginia 22320

Date: February 25, 2002

NAME: William P. Berridge
 REGISTRATION NUMBER: 30,024

 NAME: Joel S. Armstrong
 REGISTRATION NUMBER: 36,430

**DECLARATION AND POWER OF ATTORNEY
UNDER 35 USC §371(c)(4) FOR
PCT APPLICATION FOR UNITED STATES PATENT**

As a below named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below under my name;

I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, namely the invention entitled: METHOD FOR IN VITRO CULTURE OF VIRUSES OF THE TOGAVIRIDAE AND FLAVIVIRIDAE FAMILIES AND USES

described and claimed in international application number PCT/FR00/02202 filed July 31, 2000.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

Under Title 35, U.S. Code §119, the priority benefits of the following foreign application(s) filed by me or my legal representatives or assigns within one year prior to my international application are hereby claimed:

French Patent Application No 99 10095 filed July 30, 1999.

The following application(s) for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to my international application, or (b) before the filing date of the above-named foreign priority application(s):

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

James A. Oliff, Reg. No. 27,075; William P. Berridge, Reg. No. 30,024;
Kirk M. Hudson, Reg. No. 27,562; Thomas J. Pardini, Reg. No. 30,411;
Edward P. Walker, Reg. No. 31,450; Robert A. Miller, Reg. No. 32,771;
Mario A. Costantino, Reg. No. 33,565; Stephen J. Roe, Reg. No. 34,463;
Joel S. Armstrong, Reg. No. 36,430; Christopher W. Brown, Reg. No. 38,025;
Richard E. Rice, Reg. No. 31,560; and Paul Tsou, Reg. No. 37,956.

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, P.O. BOX 19928, ALEXANDRIA, VIRGINIA 22320, TELEPHONE (703) 836-6400.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	Typewritten Full Name of Sole or First Inventor	Patrice			Andre		
		Given Name	Middle Initial	Family Name			
2	Inventor's Signature:	Patrice			Andre		
3	Date of Signature:	Feb			13		
		Month	Day	Year			
	Residence:	LYON			France		
		City	State or Province		Country		
	Citizenship:	France					
	Post Office Address:	5 Rue Servient					
	(Insert complete mailing address, including country)	F-69003 Lyon France					

Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.

IF THERE IS MORE THAN ONE INVENTOR USE PAGE 2 AND PLACE AN "X" HERE ☒
(Discard this page in a sole inventor application)

1 **Typewritten Full Name of Joint Inventor** Vincent Lotteau
 2 **Inventor's Signature:** *Vincent Lotteau*
 3 **Date of Signature:** Feb 13 2002
 Month Day Year
 Residence: Vourles France
 City State or Province Country
 Citizenship: France
 Post Office Address: 68ter, Chemin Balmes
 (Insert complete mailing address, including country) F-69390 Vourles France

1 **Typewritten Full Name of Joint Inventor** Glaucia Paranhos-Baccala
 2 **Inventor's Signature:** *Glaucia Paranhos-Baccala*
 3 **Date of Signature:** Feb 13 2002
 Month Day Year
 Residence: Lyon France
 City State or Province Country
 Citizenship: France
 Post Office Address: 75 Cours Gambetta
 (Insert complete mailing address, including country) F-69003 Lyon France

1 **Typewritten Full Name of Joint Inventor** Florence Komurian-Pradel
 2 **Inventor's Signature:** *Florence Komurian-Pradel*
 3 **Date of Signature:** Feb 13 2002
 Month Day Year
 Residence: Poleymieux France
 City State or Province Country
 Citizenship: France
 Post Office Address: 114 Chemin du Pavillon
 (Insert complete mailing address, including country) F-69250 Poleymieux France

1 **Typewritten Full Name of Joint Inventor**
 2 **Inventor's Signature:**
 3 **Date of Signature:**
 Month Day Year
 Residence:
 City State or Province Country
 Citizenship:
 Post Office Address:
 (Insert complete mailing address, including country)

Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.

This form may be executed only when attached to the first page of the Declaration and Power of Attorney of the application to which it pertains.